

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PRENTICE DEVELL WATKINS,

Petitioner,

Civil No. 04-CV-72112-DT
HONORABLE ARTHUR J. TARNOW

v.

JEFFREY WOODS,

Respondent,

_____ /

OPINION AND ORDER DENYING THE MOTIONS FOR RECONSIDERATION

On September 10, 2010, the Court denied the petition for writ of habeas corpus brought pursuant to 28 U.S.C. § 2254. The Court also granted petitioner a certificate of appealability and leave to appeal *in forma pauperis*. See *Watkins v. Woods*, No. 2010 WL 3582928 (E.D. Mich. September 10, 2010). Petitioner has now filed two duplicate motions for reconsideration. For the reasons that follow, the motions for reconsideration are DENIED.

U.S. Dist.Ct. Rules, E.D. Mich. 7.1 (h) allows a party to file a motion for reconsideration. A motion for reconsideration should be granted if the movant demonstrates a palpable defect by which the court and the parties have been misled and that a different disposition of the case must result from a correction thereof. *Ward v. Wolfenbarger*, 340 F. Supp. 2d 773, 774 (E.D. Mich. 2004); *Hence v. Smith*, 49 F. Supp. 2d 547, 550-51 (E.D. Mich. 1999). A motion for reconsideration which merely presents “the same issues ruled upon by the Court, either expressly or by reasonable implication,” shall be denied. *Ward*, 340 F. Supp. 2d at 774.

Watkins v. Woods, 04-CV-72112-DT

Petitioner's motions for reconsideration will be denied, because petitioner is merely presenting issues which were already ruled upon by this Court, either expressly or by reasonable implication, when the Court denied the petition for writ of habeas corpus. *See Hence v. Smith*, 49 F. Supp. 2d at 553.

ORDER

Based upon the foregoing, IT IS ORDERED that the motions for reconsideration [Dkt. ## 48 and 49] are **DENIED**.

S/Arthur J. Tarnow
Arthur J. Tarnow
Senior United States District Judge

Dated: May 17, 2011

I hereby certify that a copy of the foregoing document was served upon parties/counsel of record on May 17, 2011, by electronic and/or ordinary mail.

S/Catherine A. Pickles
Judicial Secretary